

AMENDED IN SENATE JULY 16, 2003
AMENDED IN ASSEMBLY JUNE 2, 2003
AMENDED IN ASSEMBLY MAY 14, 2003
AMENDED IN ASSEMBLY MAY 5, 2003

CALIFORNIA LEGISLATURE—2003–04 REGULAR SESSION

ASSEMBLY BILL

No. 736

Introduced by Assembly Member Hancock

February 19, 2003

An act to add Section 17077.36 to the Education Code, relating to school facilities.

LEGISLATIVE COUNSEL'S DIGEST

AB 736, as amended, Hancock. School facilities.

Existing law, the Leroy F. Greene School Facilities Act of 1998, requires the State Allocation Board to administer the allocation of funds for public school facilities. *Existing law requires the State Allocation Board to adjust a project grant amount not to exceed 5%, for the state's share of costs associated with design and other plan components related to school facility energy efficiency.*

This bill would state the intent of the Legislature to encourage new schools to be designed according to the criteria developed by the Collaborative for High Performance Schools ~~and the Leadership in Energy and Environmental Design (LEED) Green Building Rating System~~. *The bill would also state that it is the intent of the Legislature, through subsequent enactment, to create incentives for school districts to design schools that meet energy efficiency, conservation,*

cost-effectiveness, and environmental standards and to provide grant adjustments for meeting these standards from funds from a school facilities bond approved by the voters after 2004, except that this does not apply to projects funded by the proceeds of bonds approved by the voters in or before 2004.

~~Existing law requires the State Allocation Board to adjust a project grant amount not to exceed 5%, for the state's share of costs associated with design and other plan components related to school facility energy efficiency.~~

~~This bill would, in addition, require the State Allocation Board to establish regulations to implement prescribed adjustments in state grants to school districts that meet the criteria developed by the Collaborative for High Performance Schools and to those school districts that build schools that qualify for certification under the LEED Green Building Rating System.~~

~~The bill would declare the intent of the Legislature to enact subsequent legislation to appropriate to the Division of the State Architect \$1,000,000 from subsequently approved general obligation bond proceeds for the purposes of this act.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~yes~~ *no*. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. (a) The Legislature hereby finds and declares
2 ~~the following:~~
3 ~~(1) that the~~ The Collaborative for High Performance Schools
4 has developed a set of criteria for new school design that, if
5 adopted, lead to school buildings that enhance pupil performance
6 and teacher satisfaction, reduce operating costs, and minimize
7 environmental impacts.
8 ~~(2) The United States Green Building Council has developed~~
9 ~~a set of independently certified criteria for building construction,~~
10 ~~including school construction, called the Leadership in Energy and~~
11 ~~Environmental Design (LEED) Green Building Rating System~~
12 ~~that, if adopted, lead to school buildings that enhance pupil~~
13 ~~performance and teacher satisfaction, reduce operating costs, and~~
14 ~~minimize environmental impacts.~~
15 (b) It is therefore the intent of the Legislature to encourage new
16 schools to be designed according to criteria developed by the

1 Collaborative for High Performance Schools ~~or the LEED Green~~
2 ~~Building Rating System.~~

3 (c) It is further the intent of the Legislature to provide school
4 districts with a financial incentive for energy efficiency.

5 ~~SEC. 2.— Section 17077.36 is added to the Education Code, to~~

6 *SEC. 2. (a) It is the intent of the Legislature, through*
7 *subsequent enactment, to create incentives for school districts to*
8 *design schools that meet energy efficiency, conservation,*
9 *cost-effectiveness, and environmental standards and to provide*
10 *grant adjustments for meeting these standards at an amount not to*
11 *exceed 3 percent of the state grant awarded for the project, from*
12 *funds from a school facilities bond approved by the voters after*
13 *2004.*

14 *(b) It is not the intent of the Legislature for subdivision (a) to*
15 *apply to projects funded by the proceeds of bonds approved by the*
16 *voters in or before 2004.*

17 ~~read:~~

18 ~~17077.36.— (a) The board shall adopt, through the Division of~~
19 ~~the State Architect and the Office of Public School Construction,~~
20 ~~regulations to implement the incentives specified in this section for~~
21 ~~the allocation of proceeds of general obligation bonds for school~~
22 ~~districts that design schools that meet the criteria established by the~~
23 ~~Collaborative for High Performance Schools (CHPS) and for~~
24 ~~school districts that build schools that qualify for certification~~
25 ~~under the Leadership in Energy and Environmental Design~~
26 ~~(LEED) Green Building Rating System.~~

27 ~~(b) In adopting regulations establishing incentives pursuant to~~
28 ~~this section, the board shall consider recommendations of the~~
29 ~~United States Green Building Council and the 2001 Best Practices~~
30 ~~Manual of the Collaborative for High Performance Schools.~~

31 ~~(c) An applicant school district that includes plan design and~~
32 ~~other project components pursuant to this section that seek school~~
33 ~~facility high performance and resource efficiency approaching the~~
34 ~~ultimate goals of school facility efficiency, reduced operating~~
35 ~~costs, and health and educational conduciveness may seek a grant~~
36 ~~adjustment for the state share of the increased costs associated with~~
37 ~~those components.~~

38 ~~(d) Components that are eligible for inclusion into a project~~
39 ~~pursuant to this section include, but are not limited to, all of the~~
40 ~~following:~~

1 ~~(1) Energy efficiency, conservation, or renewable generation~~
2 ~~measures.~~

3 ~~(2) Water efficiency, conservation, and reuse measures.~~

4 ~~(3) Material efficiency, conservation, and reuse measures.~~

5 ~~(4) Indoor environmental quality measures.~~

6 ~~(5) Environmental and community sensitive facility siting~~
7 ~~measures.~~

8 ~~(6) Approval of a comprehensive maintenance and operations~~
9 ~~plan that incorporates high performance ideals.~~

10 ~~(e) In order to be eligible for the grant adjustment pursuant to~~
11 ~~this section, the building proposed for the project shall meet or~~
12 ~~exceed the standards specified in the regulations to be adopted~~
13 ~~jointly by the Division of the State Architect and the Office of~~
14 ~~Public School Construction pursuant to subdivision (a).~~

15 ~~(f) A school district that has received, or has an application~~
16 ~~pending for, a grant adjustment under subdivision (d) of Section~~
17 ~~17077.35 is not eligible for a grant adjustment for that project~~
18 ~~pursuant to this section.~~

19 ~~(g) Any grant awarded to an applicant for a new construction~~
20 ~~or modernization project shall be increased by the following~~
21 ~~amounts:~~

22 ~~(1) By 2 percent, if the project to be funded by the grant is~~
23 ~~designed to meet the criteria specified in the 2001 Best Practices~~
24 ~~Manual of the Collaborative for High Performance Schools.~~

25 ~~(2) By an additional 1 percent, if the project is also proposed to~~
26 ~~be built in compliance with the LEED Green Building Rating~~
27 ~~System.~~

28 ~~(h) The Division of the State Architect shall verify that a~~
29 ~~facility for which a grant adjustment has been provided pursuant~~
30 ~~to paragraph (1) of subdivision (g), meets the minimum criteria~~
31 ~~specified in the 2001 Best Practices Manual of the Collaborative~~
32 ~~for High Performance Schools.~~

33 ~~(i) The Division of the State Architect shall verify that a facility~~
34 ~~for which a grant adjustment has been provided pursuant to~~
35 ~~paragraph (2) of subdivision (g), has been certified and approved~~
36 ~~by the United States Green Building Council under the LEED~~
37 ~~Green Building Rating System.~~

38 ~~(j) If the Division of the State Architect determines that a~~
39 ~~facility for which a grant adjustment has been awarded pursuant~~
40 ~~to this section is not in compliance with this section, it shall notify~~

~~the Department of Finance. The Department of Finance shall
reduce any allocation of proceeds of bonds to the school district in
the following year by 1 percent.~~

~~(k) This section does not prevent a school district from
receiving grants from public utilities for conservation measures.~~

~~(l) An applicant school district shall consult with its local
public utility district regarding energy efficiency programs.~~

~~SEC. 3.—It is the intent of the Legislature to enact subsequent
legislation to appropriate one million dollars (\$1,000,000) to the
Division of the State Architect from the proceeds of general
obligation bonds of the state approved by the voters at the 2004
direct primary election or the 2004 statewide general election for
the purposes of this act.~~

